

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5512 of 2021**

Viresh Tiwari S/o Kishore Lal Tiwari, Aged About 58 Years, Head Constable No. 99, Police Station Keregaon, District Dhamtari, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. Director General Of Police, Police Headquarter, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
3. Inspector General Of Police, Raipur Range, Raipur, District Raipur Chhattisgarh
4. Superintendent Of Police, Dhamtari, District Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. T. K. Jha, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27.09.2021**

1. The dispute in the present writ petition is in respect of the selection process which has been initiated for promotion from the post of Head Constable to the post of ASI. The written examination for the departmental promotion process was convened on 26th of November, 2021 i.e. Yesterday. The petitioner herein has been declared ineligible for participating in the recruitment process for the reason as is reflected in Annexure P-2 without any further details/specification.

The petitioner herein has already raised an objection/representation upon his being declared ineligible which till date has not been finalized by the respondent authorities and they proceeded further with the recruitment process.

2. Today, when the matter is taken up for consideration, the limited relief that the petitioner seeks is for an appropriate direction to the respondents 2 & 3 to take an appropriate decision in respect of the representation/objection that the petitioner has raised in respect of his being declared ineligible. According to the petitioner, some of the grounds reflected for declaring them ineligible are totally frivolous and contrary to the service rules governing the field itself. That if the representation is decided in his favour, there is possibility of the petitioner having a chance for participating in the further recruitment process.
3. Be that as it may, considering the fact that the written examination has already been convened, the writ petition at this juncture stands disposed of directing the respondents 2 & 3 to consider and take an appropriate decision on the representation/objection that the petitioner has made. Let an appropriate decision be taken by the respondents 2 & 3 within a period of 30 days from the date of receipt of copy of this order. Meanwhile, the respondents should ensure that the recruitment process which has already been initiated should not be finalized before finalization of the representation of petitioner.
4. It goes without saying that this Court has left it exclusively upon the respondents 2 & 3 to take an appropriate decision on the representation/objection of petitioner which he has filed, if not filed, he should file the same within a period of 7 days from the date of receipt

of copy of this order.

5. With the aforesaid observation the writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**

Khatai